



# FLORIDA DEPARTMENT OF JUVENILE JUSTICE PROCEDURE

**Title:** Requests for Department Records Procedures

**Related Policy:** FDJJ - 1910

## I. DEFINITIONS

**Department Record** – Records in the department’s custody.

**Exempt Record** – A record in the custody of an agency, which is exempt from public inspection and examination pursuant to Florida Statutes.

**Exemption** – The statutory basis by which the agency or its designees claims that a record or information contained in that record is exempt from public inspection and examination.

**Information Technology Resources** – Data processing hardware, software and services, communications, supplies, personnel, facility resources, maintenance, and training.

**Public Records Coordinator** – The person who has responsibility for coordinating responses to public records requests.

**Public Record** - All documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency or contract provider pursuant to its contract with the agency.

**Records Custodian Liaison** – The department staff assigned by each office to coordinate the processing of records requests with the Public Records Coordinator.

**Redaction** – The process by which information that is confidential and exempt from public disclosure is edited from public records.

**Social Security Number (SSN)** - The identification number assigned to an individual by the United States Government.

**Subpoena duces tecum** – A court process, initiated by a party in litigation, compelling production of certain specific documents and other items in a person’s possession.

## II. STANDARDS/PROCEDURES

### A. Responding to Requests for Public Records

(This section provides staff with the procedures for responding to requests for public records.)

**FLORIDA DEPARTMENT OF JUVENILE JUSTICE**

**SUBJECT:** Requests for Department Records Procedures

**SECTION:** FDJJ - 1910P

1. Any person may request a copy of a public record. Any person may request to view a public record. Requests may be made in person, by phone, fax, email or regular mail. The requestor does not have to put the request in writing or state the reason for the request.
2. Any request for production of public records shall be forwarded to the Department of Juvenile Justice (DJJ) Public Records Coordinator who is located in the Office of General Counsel at 2737 Centerview Drive, Tallahassee, Florida 32399. Public record requests will be handled on a first in, first completed basis; however if producing a public record involves delay that cannot be avoided due to complicated requests, the Public Records Coordinator may proceed to the next request while the previous request is being completed.
3. Each program area has a Records Custodian Liaison who will work with the Public Records Coordinator to determine whether the public record requested exists, whether the public record requested contains any juvenile information or exempt or confidential information, where the public record is physically located and an estimate as to how much staff time will be involved in producing copies of the public record.
  - a. All requests for employee records will be forwarded to and processed by the Bureau of Personnel.
  - b. All requests from the media will be forwarded to and processed by the Communications Office.
  - c. All requests involving litigation will be forwarded to and processed by the Office of General Counsel.
  - d. All requests for SSNs under s. 119.071(5)(a), Florida Statutes, will be coordinated with the Office of General Counsel. Requests for SSNs must be in writing in conformity with s. 119.071(5)(a)7.b. To comply with the statutory requirements governing such requests, the department has created the *Social Security Number Request Application* form (Attachment 2).
4. The Public Records Coordinator will respond to the requestor with an estimate of the cost of producing a voluminous public record for duplication or review as soon as possible using the *Public Records Request Charges* form (Attachment 1). The cost will include a deposit amount to be paid to DJJ prior to the compiling of the record. The Public Records Coordinator will not proceed with coordinating the production involving a large number of documents until the deposit of a least 50 percent of the estimated cost of duplication has been received by DJJ.
5. All juvenile information contained in public records is confidential and must be redacted prior to release of the record. Certain other information is confidential and must be redacted prior to release. This information includes but is not limited to SSNs; employee medical information; documents prepared for collective bargaining negotiations; employee drug testing results; Employee Assistance Program records; and home addresses and telephones numbers, photographs, and family information of certain personnel. The redaction will be completed by the Records Custodian Liaison prior to forwarding the record to the Public Records Coordinator for release.

**FLORIDA DEPARTMENT OF JUVENILE JUSTICE**

**SUBJECT:** Requests for Department Records Procedures

**SECTION:** FDJJ - 1910P

6. Copies of confidential records will be provided only to those individuals or agencies as specified by law.

**B. Fees for Providing Copies:**

1. When providing a copy of a public record, a fee may be charged.
2. The fee for one-sided copies no larger than 14 inches by 8 ½ inches will be \$.15 per copy. An extra \$.05 can be charged for two-sided copies. For copies larger than 14 inches by 8 ½ inches, or for records other than print media that must be duplicated outside the agency, the fee will be the actual cost of duplicating the record.
3. The cost of shipping or mailing may be added to the fee to copy the requested records, but should be indicated separately when providing information to the requestor.
4. The “actual cost of duplicating” the record does not include the labor costs or overhead costs associated with such duplication.
5. A special services charge may be added to the fee for duplicating or redacting the records if the nature or volume of the public records required the extensive use of information technology resources or extensive clerical or supervisory assistance or both. The Department will not assess a special service charge for the first 30 minutes of IT, clerical or supervisor time. Upon request, the office assessing the special charge will provide documentation supporting the assessment of the charge.
6. No sales tax shall be added to the fee.
7. State employees requesting copies for personal use will be charged for all copy services rendered.
8. Providers under contract to DJJ to provide services to DJJ will be provided, free of charge, one complete copy of any administrative publication(s) addressing those services or addressing the provider's contractual obligations.
9. City, county, state or federal government agencies and elected or appointed government officials may be provided, free of charge, one complete copy of any department record. The provisions above include public records services to any employee, attorney or representative of an employee who requests copies of public records that are needed in order to prepare a case (i.e. Career Service Grievance, Collective Bargaining Grievance, Career Service Appeal, etc.).

**III. RESPONSIBILITY AND DUTIES**

**A. Public Records Coordinator**

1. Receives and coordinates requests for public records, including maintaining a record of how the request was processed.
2. Forwards requests to the appropriate program area for processing.

**FLORIDA DEPARTMENT OF JUVENILE JUSTICE**

**SUBJECT:** Requests for Department Records Procedures

**SECTION:** FDJJ - 1910P

3. Ensures timely response from Records Custodian Liaison to the fullest extent possible.
4. Keeps and maintains a log including request date, requestor, assignments and charges as applicable.
5. Reports on a weekly basis to the Chief of Staff's Office the information in (4.) above.

**B. Bureau of Personnel**

1. Processes requests for personnel records.

**C. Communications Director**

1. Processes requests for public records from the media.

**D. Program Area**

1. Designates a Records Custodian Liaison.

**E. Records Custodian Liaison**

1. Receives and processes requests for public records.
2. Redacts confidential information prior to sending public records to PIO.

**F. Office of General Counsel**

1. Reviews redacted records prior to release to the public.
2. Processes public records requests that involve current litigation.
3. Reviews and assists department staff in responding to subpoenas duces tecum.

**G. Office of Legislative Affairs**

1. Compiles and files a yearly report, as of January 31, 2004, with the Secretary of State, the President of the Senate and the Speaker of the House of Representatives listing the identity of all commercial entities that have requested social security numbers during the preceding calendar year and the specific purpose or purposes stated by each commercial entity regarding its need for social security numbers. If no disclosure requests were made, the report shall so state.

**IV. ATTACHMENTS**

Attachment 1 – Public Records Request Charges

Attachment 2 – Social Security Number Request Application